

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN SANTIAGO,

Petitioner,

-against-

D. LACLAIR, Superintendent,

Respondent.
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08 **CIVIL 9906 (DAB)**
JUDGMENT

Whereas on November 9, 2010, the Honorable George A. Yanthis, United States Magistrate Judge, having issued a report and recommendation ("report") recommending that the petition for a writ of habeas corpus be denied in its entirety, and the matter having come before the Honorable Deborah A. Batts, United States District Judge, and the Court, thereafter, on February 16, 2012, having rendered its Order adopting the report in its entirety, and denying the petition for a writ of Habeas Corpus in its entirety, and dismissing this action in its entirety with prejudice, it is,

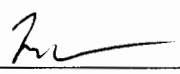
ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated February 16, 2012, the report is adopted in its entirety; the petition for a writ of habeas corpus is denied in its entirety; and this action is dismissed in its entirety with prejudice; the Court finds that because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue; the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order dated February 16, 2012 would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal; accordingly, the case is closed.

DATED: New York, New York
February 22, 2012

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk.

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**